

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD.,
Plaintiff,

V.

SAREPTA THERAPEUTICS, INC.,
Defendant.

C.A. No. 21-1015 (GBW)

DEMAND FOR JURY TRIAL

SAREPTA THERAPEUTICS, INC. and THE
UNIVERSITY OF WESTERN AUSTRALIA,
Defendant/Counter-Plaintiffs,

V.

NIPPON SHINYAKU CO., LTD. and NS
PHARMA, INC.,
Plaintiff/Counter Defendants.

[PROPOSED] ORDER

AND NOW, this day of , 2024 it is hereby ordered that:

1. Plaintiff Nippon Shinyaku Co., Ltd.’s and Counter-Defendant NS Pharma, Inc.’s Motion for Summary Judgment regarding Infringement of Certain NS Patents is GRANTED;

2. Judgment is entered in favor of Plaintiff and against defendant Sarepta Therapeutics, Inc. finding that (i) Sarepta Therapeutics, Inc. directly and indirectly infringes claims 1-3 of US Patent No. 10,385,092 (the “’092 Patent”), claims 1-2 of US Patent No. 10,407,461 (the “’461 Patent”), and claims 1-2 of US Patent No. 10,487,106 (the “’106 Patent”) under 35 U.S.C. § 271 (a), (b), and (c); and (ii) Sarepta Therapeutics, Inc. indirectly infringes claims 1-12 of US Patent No. 10,647,741 (the “’741 Patent”) and claims 1-4 of US Patent No. 10,662,217 (the “’217 Patent”) under 35 U.S.C. § 271 (b) and (c).

Honorable Gregory B. Williams